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11 Attorneys for Plaintiffs and Counter-Defendants
12 BIKRAM'S YOGA COLLEGE OF INDIA, L.P.
13 and BIKRAM CHOUDHURY

DENIED
1-24-13- ODW

14
15 **UNITED STATES DISTRICT COURT**
16
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 BIKRAM'S YOGA COLLEGE OF
19 INDIA, L.P., a California limited
20 partnership; and BIKRAM
21 CHOUDHURY, an individual,

22 Plaintiffs,

23 vs.

24 EVOLATION YOGA, LLC, a New
25 York limited liability company; MARK
DROST, an individual; ZEFEA
SAMSON, an individual; and DOES 1
through 10, inclusive,

Defendants.

26 AND RELATED COUNTERCLAIM

Case No. CV11-05506-ODW(SSx)

The Honorable Otis D. Wright, II,
Courtroom No. 11

Denying
[PROPOSED] ORDER CERTIFYING
DECEMBER 14, 2012, ORDER FOR
INTERLOCUTORY APPEAL AND
STAYING PROCEEDINGS [63]

[28 U.S.C. § 1292(b)]

Hearing Date

Date: February 25, 2013

Time: 1:30 p.m.

Courtroom: 11

Complaint Filed: July 1, 2011

Trial Date: January 29, 2013

1 The Court, having considered Plaintiffs BIKRAM'S YOGA COLLEGE OF
2 INDIA and BIKRAM CHOUDHURY'S Motion for Certification of Order for
3 Interlocutory Appeal and for Stay of Proceedings and supporting and opposing
4 papers thereto, which came on for a hearing before this Court on February 25, 2013,
5 hereby finds that the Court's Order Granting Defendants' Motion for Partial
6 Summary Judgment of December 14, 2012, (Dkt. No. 38), involves a controlling
7 question of law on which there is a substantial ground for difference of opinion, and
8 that an immediate appeal from the Order may materially affect the outcome and
9 advance the ultimate termination of this litigation.

10 Therefore, Plaintiffs' Motion is GRANTED and the matter is certified for
11 appeal pursuant to 28 U.S.C. § 1292(b). Additionally, the litigation is stayed
12 pending a subsequent appeal by Plaintiffs to the Ninth Circuit Court of Appeals and
13 pending determination of Plaintiffs' pending 28 U.S.C. § 1292(a)(1) appeal.

14 IT IS SO ORDERED.

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16 Dated: 1 | 24, 2013

DENIED

17 The Honorable Otis D. Wright II
18 United States District Judge

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